

**TALL ORDER**

# Taming Uncle Sam's Classification Compulsion

By Evan Thomas

**D**id the FBI kill Martin Luther King Jr.? The suggestion, once outrageous, is now commonly made on talk radio. Polls show that most Americans believe that James Earl Ray, the man convicted of shooting King, was not operating alone, and many think that he was working, at least indirectly, for J. Edgar Hoover's men. And the FBI is just one vital government agency that many Americans routinely distrust.

Polls also show that four out of five Americans believe John F. Kennedy was killed as the result of a conspiracy, and about half believe the CIA played a role—the same CIA that another set of theories says created the crack epidemic in America's ghettos.

"If a majority of Americans believe that their own government murdered the president, I'd say we have a serious problem," said Sen. Daniel Patrick Moynihan (D-N.Y.) last week as he released a report that catalogues the government's obsession with secrecy.

America has always had a penchant for conspiracy theories, but the appetite seems to be growing, fed by such outlets as the Internet, talk radio and the movies of Oliver Stone. Meanwhile these theories, which I believe to be extremely far-fetched, are difficult to rebut because of an equally strong American tradition: the determination of government bureaucrats to keep secrets. In fact, as Moynihan's report makes clear, numerous government agencies keep an astonishing number of secrets and appear determined never to let them go, whatever the cost.

For instance, it would seem to be in the CIA's interest to counter an image—so luridly fostered by Hollywood—of rogue agents out of control, assassinating and terrorizing the American people. What secrets could possibly be lurking in the vaults of Langley that would be worse than what Stone and his ilk are already selling? Over the years, the CIA has done some rotten things. But I believe that the historical record, if fully disclosed, would prove that killing JFK and starting a drug epidemic were not among them. Still, that's a very big "if." There is

about as much chance of the CIA opening up its most sensitive files to historical researchers as there is of the director of operations ordering a hit on a public official.

The CIA today is not out of control. If anything, the agency has been made fearful and timid by years of scandal and congressional investigations. What is really out of control is the federal government's system for classifying and keeping secrets.

America has never known how to keep secrets well. On the one hand, government officials routinely leak top-secret documents to push a policy goal—or a grudge. On the other hand, government bureaucrats routinely keep important information from the public—and from each other—for petty and parochial reasons.

It is not a problem easily solved, as attests the somewhat contradictory title of the Report of the Commission on Protecting and Reducing Government Secrecy, released last week. The report of the commission, established two years ago by Congress, paints an appalling picture: Roughly a half-million government officials and contractors have the power to stamp a document "secret" and they do, at the rate of more than 3 million a year—far in excess of any real need. In government vaults, there are about 1.5 billion pages of documents stamped secret—from more than 25 years ago. The government gets about a half-million requests a year to make documents public under the Freedom of Information Act, but it can take many months or even years to respond, and the requesters are often disappointed with the results. Typically, great chunks of information are blacked out for reasons of "national security." (The cost of processing those FOIA requests runs over

\$100 million a year.)

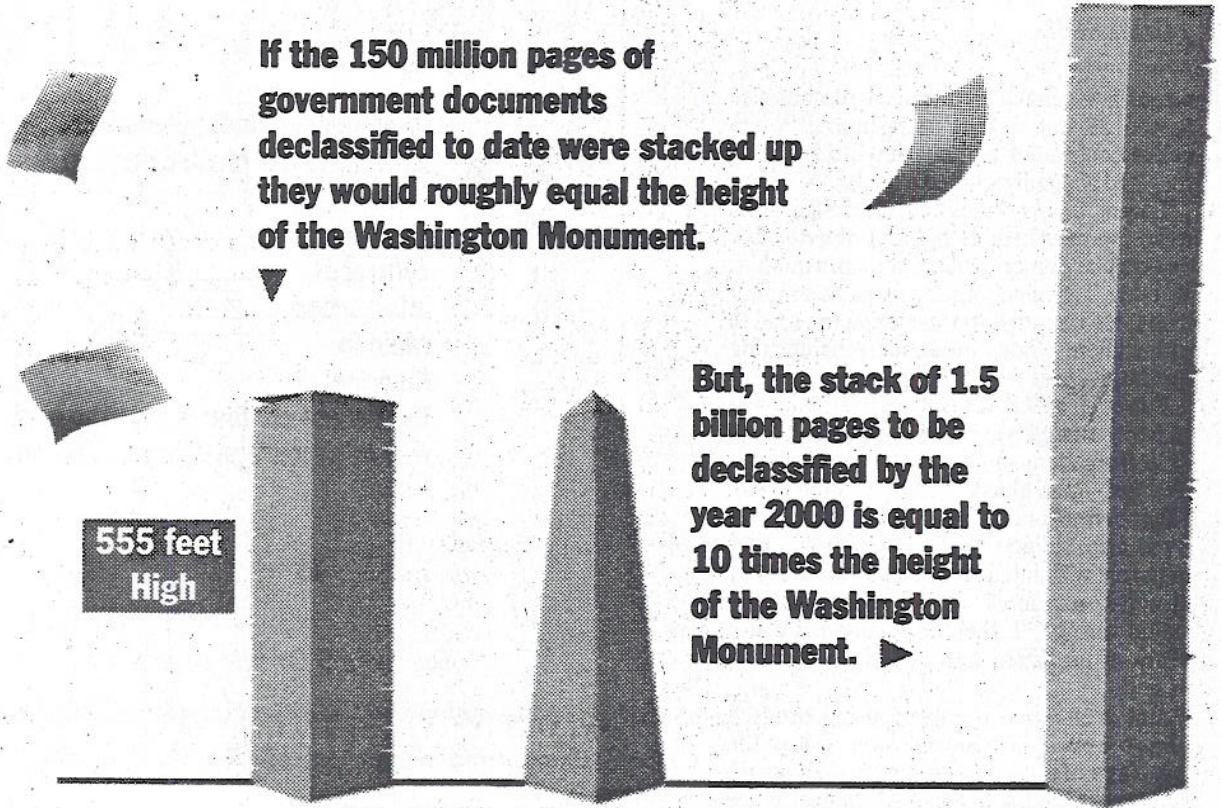
**T**wo years ago, President Clinton decreed that all secrets more than 25 years old should be automatically declassified by the year 2000—with certain exemptions for national security. Today, only about 10 percent of those documents have been declassified. Some agencies (the predictable ones) are stonewalling. The CIA harbors 165 million pages of documents more than 25 years old. The agency has decreed about two-thirds of those exempt from the executive order. Of the rest, it has so far declassified about 20,000 pages, or about .0001 of the total demanded for a deadline that is only three years away.

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**If the 150 million pages of government documents declassified to date were stacked up they would roughly equal the height of the Washington Monument.**

**555 feet  
High**

**But, the stack of 1.5 billion pages to be declassified by the year 2000 is equal to 10 times the height of the Washington Monument.**



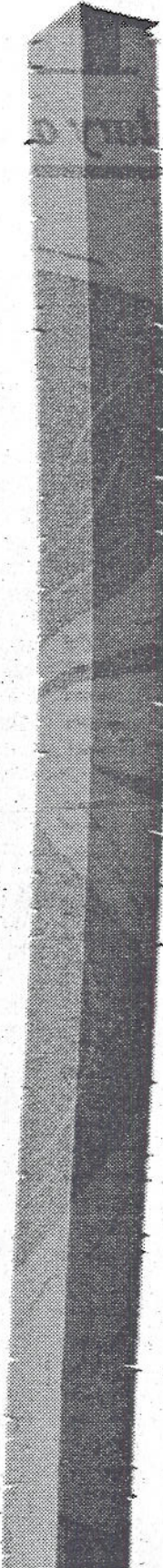


## MILES TO GO . . .

**F**reedom of Information Act officers certainly have their work cut out for them; three years are left to declassify the bulk of 1.5 billion pages of documents stamped secret from more than 25 years ago.

*Consider the task: It would take 1,000 bureaucrats 20 years each to read 1.5 billion pages of documents if they worked 40 hours a week and 50 weeks a year. To get the job done by 2000, it would require 7,000 bureaucrats doing nothing else.*

SOURCE: Report of the Commission on Protecting and Reducing Government Secrecy



Congress has tried to force the bureaucracy to release records that might shed light on the Kennedy assassination. The President John F. Kennedy Assassination Records Collection Act of 1992, better known to bureaucrats as "the Oliver Stone Act," has forced out 3 million pages. But the review board goes out of existence in September, and the job is nowhere near done. The board estimates that the CIA and FBI are still holding hundreds of thousands of pages.

**T**he agencies resist partly for reasons of cost; they cannot afford to spare the staff to wade through millions of documents line by line, which is the only way to do it. But the deeper reason for stonewalling is that bureaucrats *like* secrets. Secrets confer power. It is useful to conceal secrets that might be embarrassing to oneself, and equally useful to leak secrets that might be embarrassing to one's enemies. Bureaucrats will go to absurd lengths to keep secrets from other bureaucrats. In the 1940s, code breakers cracked a Soviet code book and discovered a ring of communist spies in the United States. But the FBI did not get around to telling the CIA about the so-called Venona cables until 1952. J. Edgar Hoover didn't trust the CIA. Even more incredible, it appears that President Truman was

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never told.

Such absurd stories are a powerful argument for reform. Unfortunately, it's not so easy. Why not just open up the files after 25 years? What secrets could still be dangerous to the national security? The Cold War is over, and the secret of the bomb is out. But even old secrets can do harm. What might become of the families of

CIA agents in foreign countries whose identities were revealed? How would Russia view foreign governments who quietly helped the United States spy on the Kremlin?

Some secrets must be kept, but the problem is that the bureaucrats who make the decisions are often strongly biased in favor of keeping them all. At the State Department, the work is typically done by retired foreign service officers who don't want to reveal anything that might in any way offend another country. At the CIA, declassifiers love to protect "sources and methods" of intelligence gathering, which is fine when the source is a secret satellite. But the CIA has been known to classify newspaper clips.

Clearly, someone needs to assert the public's right to know and to balance competing interests. At the risk of creating a whole new layer of bureaucracy, Moynihan's committee suggests creating a Declassification Center in the National Archives. The committee also recommends that secrets should become public after 10 or 25 years, unless demonstrable harm would occur to the United States. As envisioned by Moynihan, such a system would force bureaucrats to at least think before classifying a document, and it could help ease the logjam.

But Moynihan's reforms would require significant funding at a time the federal government is feeling strapped. Even if Congress does appropriate the money, few agencies are going to simply throw open their files to an outside bureaucracy. So while the bureaucrats bicker and stall, America will continue to learn an inaccurate version of its history over talk radio and at the movies.